



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9
RESP. LTR
1-2-03
A. JONES

In re U.S. Patent Application

Examiner: Anthony H. Nguyen

Karlheinz Mayer

Group Art Unit: 2854

Serial Number: 09/787,919

Filed: June 1, 2001

For: GRAVURE PROCESS FOR PRINTING ADJACENT COLOUR SURFACES WITH VARIOUS
COLOUR COATING THICKNESS

RESPONSE TO RESTRICTION NOTICE

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is responsive to the Office Action mailed November 27, 2002 in the above application, said Action requiring restriction of the claims between the following groups:

GROUP I - claims 1-3 and 20 (data medium)

GROUP II - claims 4-10 and 21 (printing plate)

GROUP III - claims 11-19 and 22 (processing of making printing plate)

ELECTION WITH TRAVERSAL

Subject to the traversal discussed below, Applicant elects the claims of GROUP I, (claims 1-3 and 20) to be maintained in this application for continued examination.

All rights to the non-elected subject matter are reserved.

TRAVERSAL

The Restriction Notice imposed in accordance with 35 U.S.C. § 121 is believed to be improper. This application is a U.S. National Phase of an International application and provisions under 35 U.S.C. § 372(a)(2) apply in this case. The provisions of 37 C.F.R. 1.475 are controlling with respect to issues of unity of invention in U.S. National Phase applications derived from International PCT applications.

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Under the provisions of §1.475(a), an International application shall relate to one invention only or to a group if inventions so linked as to form a single general inventive concept. Further, in accordance with this provision, the requirement of unity of invention is fulfilled when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. In accordance with this rule, the expression "special technical features" means those features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

It is respectfully submitted that the claims of GROUPS II and III are linked so as to form a single general inventive concept in accordance with 37 C.F.R. § 1.475(a). A careful review of the pending claims 4-10 and 21, on one hand, which are drawn to the printing plate, and claims 11-19, 22, on the other hand, which are drawn to a process for making such printing plate, reveal that the technical features of the claims exist in common between the two sets of claims to thereby link them in a manner satisfying the requirements of Rule 475.

The Examiner's attention is invited to the special technical feature of "between the first and the second engraved areas is arranged a separating edge which extends towards a point a level of the printing plate surface".

Claim 11 includes process language including engraving a printed plate with engraving depths of two levels such that between the first engraving area and the second engraving area a separating edge remains, said separating edge having an upper edge which extends towards a point at the height of the printing plate surface.

It is clearly evident that claims 4 and 11 are drawn to a single general inventive concept and that both claims satisfy the requirements of unity of invention pursuant to 37 C.F.R. 1.475 and 37 C.F.R. 1.499.

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Accordingly, withdrawal of the restriction between the claims of GROUPS II and III is respectfully requested.

Respectfully submitted,
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